

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAMIEN MICHAEL SHENEFIELD,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

Case No. C23-5617-RAJ-MLP

ORDER EXTENDING TIME FOR  
PETITIONER TO RESPOND TO ORDER  
TO SHOW CAUSE

This is a federal habeas action filed under 28 U.S.C. § 2254. Petitioner submitted his federal habeas petition to the Court for filing on July 10, 2023, and the petition was filed on July 24, 2023, after Petitioner corrected a filing fee deficiency. (*See* dkt. ## 1, 3.) On August 7, 2023, this Court issued an Order directing Petitioner to show cause not later than September 8, 2023, why his petition should not be dismissed as time barred. (Dkt. # 7.) Petitioner never responded to the Order to Show Cause. However, on October 13, 2023, the Court received a letter from Petitioner inquiring about the status of his case and he appears to indicate therein that he never received a copy of the Order. (*See* dkt. # 8.)

On October 16, 2023, the Clerk's Office responded to Petitioner's letter and apparently provided him a copy of both the docket sheet and the Order to Show Cause. (*See* dkt. # 9.) While

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1 Petitioner should now be in possession of the Court's Order, the deadline set forth therein for  
2 filing a response has passed. The Court deems it appropriate to extend the original deadline so  
3 Petitioner may file a response to the Order to Show Cause should he desire to do so.

4 Accordingly, the Court hereby ORDERS as follows:

5 (1) Petitioner is directed to file a response to the Court's Order to Show Cause (dkt.  
6 # 7) not later than **November 30, 2023**. Failure to file a response by that date will result in a  
7 recommendation that this action be dismissed for failure to prosecute.

8 (2) The Clerk is directed to send copies of this Order to Petitioner and to the  
9 Honorable Richard A. Jones.

10 DATED this 3rd day of November, 2023.

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13 MICHELLE L. PETERSON  
14 United States Magistrate Judge  
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